



Thurston County
WATER CONSERVANCY BOARD
Application for Change/Transfer
OF A RIGHT TO THE BENEFICIAL USE OF THE PUBLIC WATERS OF
THE STATE OF WASHINGTON

Report of Examination

NOTE TO APPLICANT: Pursuant to WAC 173-153-130(8), the applicant is not permitted to proceed to act on the proposal until Ecology makes a final decision affirming, in whole or in part, the board's recommendation. It is advised that the applicant not proceed until the appeal period of Ecology's decision is complete.

☐ Surface Water ☒ Ground Water

DATE APPLICATION RECEIVED March 15, 2010	WATER RIGHT DOCUMENT NUMBER G2-00767C	WATER RIGHT PRIORITY DATE February 22, 1971	BOARD-ASSIGNED CHANGE APPLICATION NUMBER THUR 10-01
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NAME City of Lacey			
ADDRESS (STREET) P.O. Box 3400	(CITY) Lacey	(STATE) WA	(ZIP CODE) 98509

Changes Proposed: ☒ Change purpose ☐ Add purpose ☐ Add irrigated acres ☒ Change point of diversion/withdrawal
☐ Add point of diversion/withdrawal ☒ Change place of use ☐ Other (Temporary, Trust, Interties, etc.)

SEPA
The board has reviewed the provisions of the State Environmental Policy Act of 1971, Chapter 43.21C RCW and the SEPA rules, chapter 197-11 WAC and has determined the application is: ☒ Exempt ☐ Not exempt

BACKGROUND AND DECISION SUMMARY

Existing Right (Tentative Determination)

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
	20	7.6 7.5	Community domestic supply				
Roselawn Trailer Court Well			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: PARCEL NO.	¼ SE	¼ SW	SECTION 11	TOWNSHIP N. 18	RANGE 1W	WRIA 13	COUNTY. Thurston
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED							
Beginning at a point 456.48 ft West from the South Quarter corner of section(above);thence north 228.65 feet; thence north 88 degrees17'11" west 119.67 feet, thence north 4 degrees39'39" west 175 feet, to the southerly ROW of Martin Way, along ROW 344.05 ft, south to the south line of said section, east 464 feet to the POB, in Thurston County, Washington.							
PARCEL NO.	¼ SE	¼ SW	SECTION 11	TOWNSHIP N. 18	RANGE, 1 W.		

Proposed Use

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
	20	7.6	Municipal Supply, year round				
SOURCE Beachcrest Well Field Wells 1 and 2			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: PARCEL NO.	¼ SE	¼ SW	SECTION 25	TOWNSHIP N. 19	RANGE 1W	WRIA 13	COUNTY. Thurston
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
Area served by the City of Lacey. The place of use of this water right is the service area described in the currently approved <u>Water System Plan</u> , as approved by the Washington State Department of Health. RCW 90.03.386 may have the effect of revising the place of use of this water right if the criteria in section RCW 90.03.386(2) are met.							
PARCEL NO. N/A	¼ N/A	PARCEL NO. N/A	¼ N/A	PARCEL NO. N/A	¼ N/A		

Board’s Decision on the Application

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
	20	7.5	Municipal Supply, year round				
SOURCE			TRIBUTARY OF (IF SURFACE WATER)				
Beachcrest Well Field Wells 1 and 2							
AT A POINT LOCATED: PARCEL NO.	¼ SE	¼ SW	SECTION 25 °	TOWNSHIP N. 19	RANGE 1W	WRIA 13	COUNTY. Thurston
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
Area served by the City of Lacey. The place of use of this water right is the service area described in the currently approved <u>Water System Plan</u> , as approved by the Washington State Department of Health. RCW 90.03.386 may have the effect of revising the place of use of this water right if the criteria in section RCW 90.03.386(2) are met.							
PARCEL NO. N/A	¼ N/A	PARCEL NO. N/A	¼ N/A	PARCEL NO. N/A	¼ N/A		

DESCRIPTION OF PROPOSED WORKS

The proposed point of withdrawal is the Beachcrest Wellfield, which is accessed from Meridian Ave. The Wellfield currently has two active wells, Well #1 Source 15 DOH, and Well #2, Source 16 DOH. Beachcrest Well #1 is constructed to 140 feet below ground surface. The well is equipped with a 25 hp pump with a pumping capacity of 180 gpm. Beachcrest Well #2 is completed at a depth of 138 feet below ground surface, with a 10-inch diameter casing, is screened from 113 to 138 feet, and is equipped with a 30 hp pump with a pumping capacity of 230 gpm. There is a third well within this wellfield, which was drilled as a test well (TW-BC03) and completed in September 2008 to a depth of 448 feet with an 8-inch diameter casing. This well has never been operated as a production well. The Beachcrest Wellfield is inter-connected to the City of Lacey service area, and no additional construction is proposed as a result of this proposed application for change.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: N/A (no construction required)	COMPLETE PROJECT BY THIS DATE: N/A (no construction required)	COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE: December 31, 2013
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REPORT

BACKGROUND:

Application.

On March 15, 2010, at a regular public meeting of the Thurston County Water Conservancy Board (Board), Julie Rector of the City of Lacey (City) filed an application (see attached **Exhibit A**) with the Board to change the point of withdrawal, purpose of use, and place of use of Ground Water Certificate No. G2-00767C, which was issued to Harold L. Graham on April 5, 1974. See attached **Exhibit B** for a copy of the subject certificate which was issued for 20 gallons per minute and 7.6 acre-feet per year.

The intent of this request is to transfer the water right from a decommissioned well once used by a mobile home park, Rose Lawn Trailer Court, to the well field at Beachcrest, to provide additional water rights for the City of Lacey. The City used the same approach in 1998, transferring ten water rights from inactive or under utilized production wells to authorize the use of wells S21 and S22 at the Madrona wellfield.

Notices.

A public notice of the application was published for two consecutive weeks, on May 30 and June 6, 2010 in The Olympian, a newspaper of general circulation within Thurston County. A copy of the Affidavit of Publication dated June 6, 2010 is attached (**Exhibit C**). The deadline for filing a protest to this application based on the publication in The Olympian was 30 days after the second publication date of June 6, 2010.

COMMENTS AND PROTESTS:

The board received no comments or protests during the public comment period.

INVESTIGATION:

Site Investigation.

A site investigation was conducted on July 26, 2010. Board members Zena Hartung and Jerry Louthain toured the sites with City representative, Julie Rector.

During the site investigation, the Board members inspected the existing point of withdrawal on Martin Way. No sign of the decommissioned well was observed. What was once a mobile home park, when the well was in use, is today a paved parking area surrounded on two sides with strip-mall type commercial businesses.

The existing place of use was originally a mobile home park that was served by the Rose Lawn Trailer Court water system. The site now receives water service from the City and the site has been converted from a mobile home park to Phase 1 of a business park. The original well has been decommissioned (11-20-2006). See **Exhibit D** for a copy of the decommissioned water well report. Although the water right has not been exercised in 5 years, there was never intent to abandon the right, according to the City. A water right transfer agreement (**Exhibit E**) between the property owner and the City was signed and notarized March 16, 2007. In this agreement, the property owner agreed to deed the water right to the City as a condition of receiving City water service.

The existing place of use is within the City water service area. The City’s policy for acquisition of private water systems, as provided in the City of Lacey Water System Comprehensive Plan, states that “the City has historically expanded through the acquisition of private water systems...though the acquisition of these private systems may or may not occur, the City is planning to serve all areas within the UGA within the 20-year planning period.”

The proposed point of withdrawal, the Beachcrest Wellfield, is accessed from Meridian Ave. At the time of the site inspection, the wellfield had two active wells, Well #1 Source 15 DOH, and Well #2, Source 16 DOH. Beachcrest Well #1 (well S15) is constructed to 140 feet below ground surface. The well is equipped with a 25 hp pump with a pumping capacity of 180 gpm. Beachcrest Well #2 (well S16) is constructed to 138 feet below ground surface and is equipped with a 30 hp pump with a pumping capacity of 230 gpm. These two wells are approximately 100 feet apart. The well field includes a test well (TW-BC03), which has not been used as a production well. These two Beachcrest wells are authorized under Ground

Water Certificate No. G2-24257C for 250 gallons per minute and 301.7 acre-feet per year. This certificate is partially supplemental to Certificate No. G2-23963C which was issued for Well # 1 for 250 gpm and 211.7 acre feet per year.

Pictures from the field examination of Beachcrest Wellfield are attached as **Exhibit F**.

State Environmental Policy Act (SEPA) Compliance.

The governmental action relating to the subject application is exempt from the "detailed statement" preparation requirements of SEPA (WAC 197-11-800(4)). The application neither involves appropriations of one (1) cubic feet per second or more of surface water for irrigation purposes or appropriations of 2,250 gallons per minute or more of ground water for any purpose.

Description of Existing Water Right - Validity and Extent.

The existing Certificate No. G2-00767C, which was issued on April 5, 1974 under a priority date of February 22, 1971, authorizes the withdrawal of 20 gallons per minute, 7.6 acre-feet per year from a well located in the SE ¼ SW ¼ of Section 11, Township 18 N, Range 1 W. with the place of use being within the same ¼ ¼ section.

The existing well had been in use from the time the initial water right permit was issued until it was decommissioned in November 2006 when City water was then provided to this development. The water well report for this well (**Exhibit G**) showed the well as being completed on 6/29/1971 with no pump test being performed. No production records exist for this well during the time that it was being used to provide water for this development. According to the Report of Examination issued on September 25, 1973, the development consisted of 1 residence, 19 mobile homes, 1 duplex and 3 cabins. The Report of Examination (**Exhibit H**) showed that the water requirements would be 1 residence @ 400 gallons per day, 19 mobile homes @ 275 gallons per day, 1 duplex @ 250 gallons per day, 3 cabins @ 200 gallons per day, for a total of 6725 gallons per day average or 7.6 acre-feet per year. There is a mathematical error in this calculation, with the correct totals being 6,475 gallons per day or 7.3 acre-feet per year.

Exhibit I is a declaration of Eui Sun Hwang stating that he is the owner of the property at 7837 Martin Way, which was known as Roselawn Mobile Home Park, stating that he purchased the property in 1990. The declaration states that the property was occupied by 19 mobile homes, two duplexes (4 units) and two cabins., with all the development on the property using the on-site well system until 2004

Additional aerial photographs attached as **Exhibit J** show a sequence of aerial photos which document the changes in this property from Roselawn Mobile Home Park in 2001, 2002, 2003, to 2005-cleared land, 2006-cleared land, and 2009- strip mall and parking.

Exhibit K shows a timeline from 1990 when Mr. Hwang purchased the Roselawn Mobile Home Park until September 2008 when City water use started on this property which contained a strip mall at that time. Key dates on this timeline include the number of units within the mobile home park from aerial photos from 1996 through 2004 when the last mobile home was removed from the property, November 2006 when the well was decommissioned, March 2007 when the City and the Hwangs signed the Water Right and Asset Transfer Agreement, which established the date of a fixed development plan, to September 2008, when the City water use started on this property.

In order to determine the validity and extent of the existing water right, it is appropriate to use the 5-year period of time prior to the fixed development date of March 2007, which would be the period of time from 2002-2007. It is also appropriate to use that time period since the mobile homes were being removed during this time period. This time period was also the lowest 5-year period of water use since the original water right was issued for this property. During this last 5-year period the highest water use for 12 consecutive months was the water required for 18 mobile homes, 2 duplexes, 2 cabins, office, laundry room, and irrigation for a small lawn area shown on the 2002 aerial photo. The following is an estimated water use for these facilities:

- 18 mobile homes @ 250 gpd=4500 gpd
- 2 duplexes(4 units) @ 250 gpd=1000 gpd
- 2 cabins @ 250 gpd=500 gpd
- 1 office@ 50 gpd=50 gpd
- 1 laundry room @ 200 gpd=200 gpd
- Subtotal =6,250 gpd= 7.0 acre-feet/year
- ¼ acre of irrigation@ 2 acre-foot/acre=0.5 acre-feet/year
- Total=7.5 acre-feet/year

The Board therefore determines that 7.5 acre-feet/year of the annual quantity of 7.6 acre-feet per year is available for transfer to the Beachcrest Wellfield.

No records are available for the pumping rate of 20 gallons per minute shown on Certificate No. G2-00767C. This minimal pumping rate of 20 gallons per minute is a reasonable rate of pumping for producing 7.5 acre-feet per year, therefore the Board determines that the instantaneous rate of 20 gallons per minute as shown on the certificate is available for transfer.

Description of Hydrogeology.

The proposed point of withdrawal at the Beachcrest Wellfield, withdraws water from the Vashon Advance aquifer (also referred to as the "Qva" aquifer). The Vashon Advance aquifer has a transmissivity of 3-7,000 ft/day and tends to mimic the surface water basins in the area. More recently, the unit name has changed to Vashon Advance Outwash (Qga): "This unit consists of fine- to coarse-grained sand and gravel grading upward to poorly to moderately sorted. It was deposited at the front and sides of the Vashon glacier ice mass as it advanced to the southwest. It is laterally extensive in the region, but

exposed only along steep river and Puget Sound bluff faces. It forms the first water-bearing unit of economic value, and as well as being the main aquifer for most small-scale, private wells, it also supplies several larger-yielding municipal and industrial wells. It is generally confined by the Qgt unit. The unit has a thickness in the range between 10 and 65 feet. The City currently operates several wells that are completed in the Qga aquifer, including two in the College Street area and the two Beachcrest wells.

The two Beachcrest wells are completed in the Qva(Qga) aquifer and are approximately 100 feet apart, and each are at a depth of approximately 140 feet below ground surface, which is at an elevation of approximately 220 feet. Water well reports for the two Beachcrest wells are attached as **Exhibit L**, showing that Well No. 1 was completed on 6/28/76 with a static water level of 77 feet, and Well No. 2 was completed on 4/23/79 with a static water level of 84 feet. This means that the elevation of the static water level for each of these wells is at an average elevation of approximately 140 feet.

The former Roselawn Mobile Home Court well (Exhibit G) was completed at a depth of 129 feet, also within the Qva(Qga) aquifer, with a static water level of 49 feet. Ground elevation at the Roselawn well is approximately 240 feet, which make the static water level at an elevation of approximately 190 feet.

The well logs for the former Roselawn well and the currently used Beachcrest wells each shown a confining till or hard pan layer (Qgt) above the Qva(Qga) aquifer. With the ground water flow direction in this area generally following the ground surface elevation, from the south towards the north (towards Puget Sound), the conclusion can be reached that the former Roselawn well and the Beachcrest wells are within the same aquifer and that this water right transfer is being made from an up-gradient to a down-gradient location.

Impairment of Other Existing Water Rights.

Nearby wells are located to the east (Meridian Road and Luhr Beach area), and at least 3,000 feet away from the Beachcrest wells. There are 16 exempt wells completed at 75 – 174 feet deep. Given the distance from the Beachcrest wells and the proximity of those exempt wells to each other, it’s not likely that an additional 20 gpm from the Beachcrest wells would cause interference drawdown that would impact their wells. The exempt wells are located in T19N-R01E-30, and T19N-R01W-25. The main water systems are all over a mile from the Beachcrest wells so there should be no problem with any additional interference drawdown. The primary wells that draw from the same aquifer are located due west, and are over 7,000 feet away from the Beachcrest well field. These systems (Marvin Gardens, Deerfield Park, and Prairie Ridge) are located in T19N-R01W- Sections 27 and 34. The closest water system is actually Classic Heights, to the SE on Meridian Rd, but the wells are completed at 255 feet and 294 feet and screened in a different aquifer than the Beachcrest wells.

There are no surface water rights in the vicinity other than an old surface water right, Certificate No. 8620, issued for the Beachcrest property in November 1962, with a 1949 priority date, for 0.3 cfs for domestic supply. It is not known whether this water right has been utilized in recent years.

See Table 1 for a summary of water rights and water right claims in the vicinity.

Table 1. Summary of water rights and water right claims in the vicinity of Beachcrest Well Field

WRC #	Name	Priority date	Purpose of use	gpm	ac-ft/yr	Distance from Beachcrest Wells	Location
G2-056776CL (Claim)	Oldfield, Donald		General Domestic	Unk.	Unk.	Unk.	
S2-08633CWRIS (Cert.)	Beachcrest, Inc.	10/29/48	Multiple Domestic	0.3 CFS	Unk.	Unk.	SE/NW T19N, R1W, S25
G2-23963CWRIS (Cert.)	Beachcrest Water Co.	9/19/75	Multiple Domestic	250 GPM	211.7	Unk.	SE/SW T19N, R1W, S25
G2-24547CWRIS (Cert.)	M & R Construction & Utilities	5/12/77	Multiple Domestic	250 GPM	301.7	Unk.	SE/SW T19N, R1W, S25
S2-25795CWRIS (Cert.)	John Bender	2/3/81	Multiple Domestic	0.02 CFS	1	Unk.	T19N, R1W, S25
G2-065449CL (Claim)	Thurston Co. Fire Dist. #3		General Domestic			Unk.	T19N, R1W, S36
G2-27371 (Permit)	City of Lacey	8/13/86	Multiple Domestic	800 GPM	1026 AFY	Unk.	NW/SW T19N, R1W, S35
G2-28489 (Permit)	Hawks Prairie Golf	5/4/92	Irrigation	750 GPM	187.32 AFY	Unk.	NW/SE T19N, R1W, S36
G2-28621 (Permit)	Hawks Praieie Estates	9/24/92	Irrigation	800 GPM	231 AFY	Unk.	W2/NW T19N, R1W, S35
G2-29414 (Permit)	Manke Lumber Co.	9/9/96	Municipal	750 GPM	134 AFY	Unk.	NE/SW T19N, R1W, S26

The above table shows that there are four active water right certificates, four active water right permits, and two active water right claims within Sections 25, 26, 35, and 36, of T 19N, R1W. The first three certificates shown in the above table are held by Beachcrest, with the surface water certificate not in use any more, and the two ground water certificates are for the two existing Beachcrest wells that this right is being transferred to. The locations for the point of withdrawals for the four ground water permits shown in the above table are all from one to two miles and up-gradient from the existing Beachcrest wells, so there should not be any adverse effect on these existing rights. Surface Water Certificate No. S2-25795 held by John Bender has a point of diversion from an unnamed spring near Puget Sound and approximately ½ mile from the Beachcrest wells, so there should be no additional impact to this water right from this small increase in water use proposed from the Beachcrest wells.

The Board therefore finds, after reviewing the information provided by the applicant and the other information gathered for evaluation of this application, that this limited increase of 20 gallons per minute in instantaneous quantity and 7.5 acre-feet per year in annual quantity proposed for the two wells in the Beachcrest Well Field will not impair the water rights of adjacent water right holders. No evidence was presented or obtained which indicates the water rights of nearby ground water and surface water users will be impaired by approval of this application.

Public Interest Considerations.

It is in the public interest, both in terms of public health and environmental health, for Lacey’s municipal ground water system to amend capacity with additional source for existing wells. In terms of public health, the City of Lacey must have sufficient pumping capacity to meet public health and safety requirements, established by the Department of Health. In terms of both public and environmental health, the City has established programs for wellhead protection and water conservation, and is the designated receiver for smaller water systems located within its service area when they are no longer able or willing to provide water service. The city has already acquired several smaller Group A and B water systems on shallow wells, and there are several more within the city’s service area boundary that will eventually require receivership.

Relinquishment or Abandonment.

The Board also determines that the relinquishment or abandonment provisions of Chapter 90.14 RCW are not applicable in this case based on the fact that determined future development of the existing water right has been established for municipal

water supply for the City of Lacey. In addition, water for municipal supply is exempt from the relinquishment provisions of Chapter 90.14.

CONCLUSIONS:

1. **Validity and Extent of Water Right.** The applicant has demonstrated by the evidence presented that the existing water right is valid and there is no evidence to the contrary that the extent of water available for the proposed change in point of withdrawal is 20 gallons per minute and 7.5 acre-feet per year.
2. **Relinquishment/Abandonment.** The Board also determines that the relinquishment or abandonment provisions of Chapter 90.14 RCW are not applicable in this case based on the fact that determined future development of the existing water right has been established for municipal water supply for the City of Lacey. In addition, water for municipal supply is exempt from the relinquishment provisions of Chapter 90.14.
3. **Hydrogeologic Analysis.** The hydrogeology of the area demonstrates that the Beachcrest Well Field is within the "same source" as the former well location at the Roselawn Mobile Home Park.
4. **Comments/Protests.** The Board received no comments or protests objections during the public comment period.
5. **Impairment of Other Water Rights.** There is no evidence that additional pumping in the amount of 20 gallons per minute and 7.5 acre-feet per year at the Beachcrest Well Field will result in any impairment to other water right holders in the area.
6. **Public Interest.** The Board considers that approval of this application for this amount of additional source water from the Beachcrest Well Field would not be detrimental to the public interest.

DECISION:

Based on conclusions above, the decision of the Board is to approve the water right transfer application of the City of Lacey to provide the following changes to Groundwater Certificate No. G2-00767C:

1. The new point of withdrawal shall be the Beachcrest Well Field, consisting of two existing wells, located within the SE ¼ of the SW ¼ of Section 25, Township 19 N, Range 1, W.W.M., located in Thurston County, Washington.
2. The maximum water right transfer authorized is 20 gallons per minute and 7.5 acre-feet per year for municipal supply.
3. The place of use of this water right is the service area described in the most recent Water System Plan approved by the Washington State Department of Health for the City of Lacey.

PROVISIONS:

1. **Metering and Reporting**

An approved measuring device shall be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC.

Water use data shall be recorded daily. The maximum monthly rate of diversion/withdrawal and the monthly total volume shall be submitted to Ecology by January 31st of each calendar year. Ecology is requiring submittal of daily meter readings to collect seasonal information for water resource planning, management and compliance.

Reported water use data shall be submitted via the Internet or by using the enclosed forms. To set up an Internet reporting account, access <https://fortress.wa.gov/ecy/wrx/wrx/Meteringx/>. If you have questions or need additional forms, contact the Southwest Regional office.

Chapter 173-173 WAC describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

2. **Wells, Well logs and Well Construction Standards**

In accordance with Chapter 173-160 WAC, wells shall not be located within certain minimum distances of potential sources of contamination. These minimum distances shall comply with local health regulations, as appropriate. In general, wells shall be located at least 100 feet from sources of contamination. Wells shall not be located within 1,000 feet of the boundary of a solid waste landfill.

All wells constructed in the state shall meet the construction requirements of Chapter 173-160 WAC titled "Minimum Standards for the Construction and Maintenance of Wells" and Chapter 18.104 RCW titled "Water Well Construction". Any well which is unusable, abandoned, or whose use has been permanently discontinued, or which is in such disrepair that its continued use is impractical or is an environmental, safety or public health hazard shall be decommissioned.

All wells shall be tagged with a Department of Ecology unique well identification number. If you have an existing well and it does not have a tag, please contact the well-drilling coordinator at the regional Department of Ecology office issuing this decision. This tag shall remain attached to the well. If you are required to submit water measuring reports, reference this tag number.

Installation and maintenance of an access port as described in WAC 173-160- 291(3) is required.

3. Health Approval Required

Prior to any new construction or alteration of a public water supply system, the State Board of Health rules require public water supply owners to obtain written approval from the Office of Drinking Water of the Washington State Department of Health.

4. Proof of Appropriation

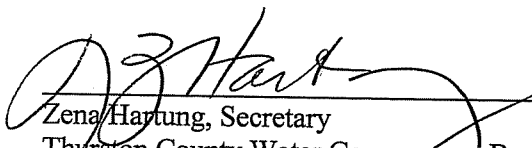
The water right holder shall file the notice of Proof of Appropriation when the permanent distribution system is complete and the quantity of water has been put to full beneficial use.

Signed at Olympia, Washington

This 19th day of January, 2011



Jerry Loutham, Vice Chairman
Thurston County Water Conservancy Board



Zena Hartung, Secretary
Thurston County Water Conservancy Board

LIST OF EXHIBITS

- Exhibit A: Water Right Transfer Application THUR-10-01
- Exhibit B: Ground Water Certificate No. G2-00767C
- Exhibit C: Affidavit of Publication, The Olympian
- Exhibit D: Water Well Report for decommissioned Rose Lawn Trailer Court well
- Exhibit E: Water Right Transfer Agreement
- Exhibit F: Site Examination Photos
- Exhibit G: Water Well Report for Rose Lawn Trailer Court well
- Exhibit H: Report of Examination for Certificate No. G2-00767C
- Exhibit I: Declaration of Eui Sun Hwang
- Exhibit J: Aerial Photos of Roselawn Mobile Home Park, 2001, 2002, 2003, 2005, 2006, and 2009
- Exhibit K: Timeline from 1990 to 2008 for Rose Lawn Mobile Home Park
- Exhibit L: Water Well Reports for Beachcrest Well Nos. 1 and 2